



Mayor & Council of Berlin

10 William Street, Berlin, Maryland 21811

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Mayor

Wm. Gee Williams, III

Vice President

Elroy Brittingham, Sr.

Council Members

Dean Burrell, Sr.

Lisa Hall

Paula Lynch

Troy Purnell

BERLIN, MARYLAND

MAYOR AND COUNCIL MEETING

Town Attorney

David Gaskill

MONDAY, FEBRUARY 25, 2013

Town Administrator

Anthony J. Carson, Jr.

COUNCIL CHAMBERS – BERLIN TOWN HALL

10 WILLIAM STREET

BERLIN, MD 21811

EXECUTIVE SESSION.....6:30 PM

REGULAR SESSION7:00 PM

Anyone having questions about the meetings mentioned above or needing special accommodations should contact Tony Carson, Town Administrator at (410) 641-4144. Written materials in alternate formats for persons with disabilities are made available upon request.

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**BERLIN MAYOR AND COUNCIL
COUNCIL MEETING
AGENDA
Monday, February 25, 2013**

6:30 PM EXECUTIVE SESSION - Berlin Conference Room

7:00 PM REGULAR SESSION – Berlin Town Hall Council Chambers

1. Approval of the Minutes for:
 Regular Session of the Mayor and Council on February 11, 2013
2. Presentation – Worcester Youth & Family Counseling – Melanie Windsor
3. Motion to Approve – Contract with EA Engineering, Science and Technology to
 provide impervious data.
4. Motion to Approve – Contract with EA Engineering, Science and Technology for
 design of 4 stormwater projects.
5. Motion to Approve- Authorization for Mayor to sign agreement with DDU Magnetics
 for the installation of the wind turbine at the Rayne's Property on Old Ocean City
 Blvd.
6. Motion to Approve – Transfer of \$300,000 from Contingency Fund to Stormwater
 Utility Fund
7. Introduction – Ordinance 2013-02
 An ordinance amending Chapter 24, Solid Waste, Article II, Sec. 24-31 (A)(8)
 Public hearing to be held on March 11, 2013
8. Departmental Reports
 - a. Finance – Lynn Musgrave
 - b. Deputy Town Administrator – Mary Bohlen
 - c. Public Works – Mike Gibbons
 - d. Water Resources – Jane Kreiter
 - e. Electric – Tim Lawrence
 - f. Police – Arnold Downing
 - g. Planning and Zoning - Chuck Ward
 - h. Human Resources – Jeff Fleetwood
 - i. Economic and Community Development – Michael Day
9. Town Administrator's Report
10. Comments from the Mayor
11. Comments from the Council
12. Comments from the Public

13. Comments from the Press

14. Adjournment

MAYOR AND COUNCIL OF BERLIN, MARYLAND
Regular Session Council Minutes
Monday, February 11, 2013

The meeting of the Mayor and Council for Monday, February 11, 2013 was called to order by Mayor Williams at approximately 7:02 p.m. Councilmembers Hall, Purnell, Brittingham were present, as well as Town Administrator Tony Carson, Human Resources Director Jeff Fleetwood, Deputy Town Administrator Mary Bohlen, Town Attorney David Gaskill, Public Works Director Mike Gibbons, Electric Utility Director Tim Lawrence, Water Resources Director Jane Kreiter, Police Chief Arnold Downing, Planning and Zoning Director Chuck Ward and Administrative Assistant Sharon Timmons. Councilmember Burrell, Finance Director Lynn Musgrave and Economic and Community Development Director Michael Day were absent. Councilmember Lynch arrived at 7:04 p.m.

Following the recitation of the Lord's Prayer and the Pledge of Allegiance, Mayor Williams asked for a motion for approval of the Regular Session minutes of January 28, 2013. Councilmember Hall made a motion to approve the minutes and council voted to approve 4-0 with Councilmember Burrell absent.

Mr. Michael Franklin, President and CEO of Atlantic General Hospital gave a powerpoint presentation explaining the changes that had been implemented during 2012 that enable the hospital to provide and improve its health care to individuals as well as the community. Mr. Franklin stated that their 2013 strategic initiatives included expanding services in the southern Delaware market, the addition of a Vascular Access Center of Excellence and improved wide area network connectivity. A copy of this powerpoint presentation has been placed in the packet.

Shore Transit director Riffin Johnson and Mr. Brad Bellacicco, Deputy Transit Director spoke on the new bus stops that would be located in Berlin. The first stop would be located on Franklin Avenue near the Apple Drugs and the second located on Pitts Street at the end of the municipal parking lot. Mayor Williams requested that the shelter to be erected at the Pitts Street location comply with regulations regarding structures in the historic district. Mayor Williams also requested that a link be created from the Town's website to the Shore Transit website in order to educate the public.

Ms. Aaren Collins, Executive Director of the Berlin Chamber of Commerce came before the council requesting approval of the event known as Spring Celebration. The event will be held Saturday, March 30, 2013 from the hours of 10:00 a.m. to 4:00 a.m. along Main Street. Ms. Collins stated that the only change from years past would be that the Easter Egg Hunt would be held at Stephen Decatur Park. Councilmember Brittingham made a motion to approve the Spring Celebration event and council voted to approve 4-0 with Councilmember Burrell absent.

Susan Wood, the Market Master representing the vendor group and advisory board for the Berlin Farmer's Market came before the council to address the concerns voiced from the council at the meeting held back in October. Ms. Wood explained the changes that had been implemented and stated that the vendors had agreed by consensus to discontinue the Wednesday market. Discussion continued. Councilmember Hall inquired if a Memorandum of Understanding should be created and Town Attorney Gaskill stated "yes". Mr. Gaskill stated that he would create the MOU between the Town and the Farmer's Market for 2013.

Discussion continued regarding allocation of the monies paid by the farmers for their business licenses and vendor fees. Mr. Carson clarified that those monies are deposited into the Town's General Fund revenue account. Councilmember Purnell stated that he would like to see the Farmer's market grow. Ms. Wood asked for affirmation by the council for the group to remain a Farmer's Market and to stay at their present location. Council stated by consensus to approve the Farmer's Market to remain based on the Memorandum of Understanding.

Mayor Williams announced the request from the Berlin Fire Company for two Special One Day permits. The first permit was for Saturday, February 23, 2013 for a retirement dinner and the second permit for Saturday, March 2, 2013 for the member and donor dinner. Mr. Bill Taylor, a member with the Fire Company confirmed the dates. Councilmember Purnell made a motion to approve the Special One Day Permits for both dates and council voted to approve 4-0 with Councilmember Burrell absent.

Department Head reports began with Deputy Town Administrator Mary Bohlen reporting that the Parks Commission was preparing for the Spring Celebration and Egg Hunt. She also reported that the Henry Park subcommittee is working on plans to hold a grand opening for the new basketball courts when completed sometime in the future.

Public Works Director Mike Gibbons reported that he had received requests about the siding on the Multipurpose Building on Flower Street which was in dire need of replacement. He stated that there was currently money in the budget along with grant monies available for the project and requested approval from the council to pursue advertising for bids to have the work completed. Councilmember Brittingham made a motion to allow Mr. Gibbons to go forth with advertising for bids for the siding project for the Multipurpose Building and council voted to approve 4-0 with Councilmember Burrell absent.

Water Resources Director Jane Kreiter reported that the new sewer service for the public restrooms had been installed. She continued with a progress report on the Branch Street wellhouse project and the new spray site addition.

Electric Utility Director Tim Lawrence presented two pictures depicting the proposed new location for the installation of the wind turbine at the Rayne Property on Ocean City Boulevard. He stated that he had spoken with many of the residents and business owners along Old Ocean City Boulevard and that everyone seemed to be agreeable with the idea. Mr. Carson stated that the property owners would be notified that this item would be placed on the agenda for the next council meeting scheduled for February 25, 2013. Mr. Carson stated that once council has made a decision, he will then request Dwight Davis of Booth and Associates to assist with the language for the agreement to make sure it is compatible with the Public Service Commission regulations. Mr. Ward stated that he would place a public notice sign on the property. Mr. Rick Stack of Washington Street inquired where the produced electric would go and Mr. Lawrence stated back to the transformer and then to the grid. Council agreed in consensus to proceed with the plan to notify the residents and place the item on the agenda for the next council meeting.

Police Chief Arnold Downing expressed thanks to everyone for the get well wishes while he had been out. He continued his report stating that the department was working with all of the schools regarding safety plans.

Planning and Zoning Director Chuck Ward spoke of the cooperation between his department and town staff relating to prospective development and construction projects throughout town.

Human Resources Director Jeff Fleetwood reported that he had attended a conference in Hunt Valley regarding the Affordable Care Act.

Town Administrator Tony Carson requested approval of 6 purchase orders (201302122, 201302121, 201301248, 201302190, 201300803 and 201302088). Discussion continued on several of the purchase orders. Councilmember Brittingham made a motion to approve all 6 purchase orders and council voted to approve 4-0 with Councilmember Burrell absent. Mr. Carson announced that today was Ms. Kreiter's birthday and asked everyone to sing Happy Birthday to her. She was presented with a cake for the occasion.

Mayor Williams asked for comments from the council. Councilmember Hall spoke of her displeasure regarding statements made from the community against the council and the University of Maryland's Stormwater Study.

Mayor Williams asked for comments from the public or the press. There being no further comments or questions, Councilmember Lynch made a motion to adjourn the meeting and the meeting ended at 9:11 pm.

Respectfully submitted

A handwritten signature in cursive script, appearing to read "Sharon Timmons".

Sharon Timmons
Administrative Assistant

ORDINANCE NO. 2013-02

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN AMENDING
CHAPTER 24, ARTICLE II, SEC. 24-31(A)(8).

BE IT ENACTED BY THE MAYOR AND COUNCIL OF THE TOWN OF BERLIN THAT
Chapter 24, Article II, Sec. 24-31(a)(8) be amended as follows:

- (8) Items too bulky for placement in an approved container, or as further defined, may not be placed for collection except at those times scheduled for special bulk waste or yard waste collection. SPECIAL BULK WASTE OR YARD WASTE COLLECTIONS ARE ONLY AVAILABLE TO REGULAR RESIDENTIAL AND COMMERCIAL COLLECTION ACCOUNT HOLDERS. All recyclable materials shall be separated from all other refuse as more particularly set forth in article III of this chapter.

THIS ORDINANCE was introduced and read at a meeting of the Town Council held on the _____ day of _____, 2013, and thereafter a statement of the substance of the Ordinance having been published as required by law was finally passed by the Town Council on the _____ day of _____, 2013.

Adopted and effective this _____ day of _____, 2013 by the Mayor and Council of the Town of Berlin, Maryland, by affirmative vote of _____ to _____ opposed, with _____ abstaining.

Elroy Brittingham, Vice-President

Approved and effective this _____ day of _____, 2013 by the Mayor of the Town of Berlin.

Wm. Gee Williams, Mayor

ATTEST: Anthony Carson, Town Administrator

TOWN ADMINISTRATOR'S REPORT
February 25, 2013

Purchase Orders

PO# 201302279 in the amount of \$11,961.00 to Air Monitoring Specialists for post emissions compliance tests.

PO# 201302282 in the amount of \$2,396.85 to Water Testing Labs for monthly samples for 2013.

PO# 201301986 in the amount of \$1,082.50 to Envirocorp for January sampling of monitor wells for new spray site and Bounds property.

PO# 201302314 in the amount of \$1,200.00 to Shore Utilities for boring of 4 inch conduit on West Street near railroad tracks.

PO# 201301793 in the amount of \$2,500.00 to Pigg, Krahll & Stern for extra work performed for review and analysis of Financing Feasibility Study for Stormwater Management.

PO# 201302291 in the amount of \$2,320.00 to Goody Hill Groundwork for tie in to Branch Street Well house.

PO# 201301973 in the amount of \$1,700.00 to Sherwood-Logan Association for repair to sodium hypo pump at treatment plant.

PO# 201302292 in the amount of \$5,952.89 to Dover Plumbing for replacement of meter pits and water lines at 9 Baker Street.

PO# 201302354 in the amount of \$1,778.50 to Aerial Crane Company for services associated with the Power Plant Oxidation Catalyst Project. To be submitted for bid bond proceeds.

PO# 201302369 in the amount of \$9,768.00 to L/B Water Service for 66 replacement meters.

PO# 201302370 in the amount of \$2,016.51 to ETSI for extra insulation and tube fittings for Power Plant Oxidation Catalyst project. To be submitted for bid bond proceeds.

Updates